

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE
7

8 MR. 99 & ASSOCIATES, INC.,
9

10 Plaintiff,
11

12 v.
13

14 CONTINENTAL CASUALTY
15 COMPANY,
16

17 Defendant.
18

19 CASE NO. 2:19-cv-00485-JLR-BAT
20

21 **ORDER SETTING TRIAL DATE
22 AND PRETRIAL SCHEDULE**
23

1 The Court has reviewed the parties' Joint Status Report (Dkt. 18) and schedules this case
2 for a two-day jury trial on **October 19, 2020, at 1:30 pm, in Courtroom 14106**, with the
3 following pretrial schedule:
4

Event	Date
Deadline for joining additional parties	July 19, 2019
Deadline for the amendment of pleadings	August 16, 2019
Plaintiff's expert disclosures under FRCP 26(a)(2)	January 6, 2020
Defendant's expert disclosures under FRCP 26(a)(2)	February 3, 2020
Rebuttal expert disclosures	February 17, 2020
All motions related to discovery must be filed by (<i>see CR7(d)</i>)	February 24, 2020
Discovery completed by	March 30, 2020
All dispositive motions must be filed by (<i>see CR7(d)</i>)	April 27, 2020

1	All motions in limine must be filed by this date and noted on the motion calendar no later than the second Friday after filing	September 21, 2020
2	Agreed CR 16.1 Pretrial Order due	September 28, 2020
3	Pretrial conference in Courtroom 14106 to be held at 2:00 pm.	October 5, 2020
4	Trial briefs, proposed voir dire, jury instructions by	October 15, 2020
5	Motions in limine raised in trial briefs will not be considered.	

6 This order sets firm dates that can be changed only by order of the Court, not by
 7 agreement of counsel for the parties. The Court will alter these dates only upon good cause
 8 shown. Failure to complete discovery within the time allowed is not recognized as good cause. If
 9 any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal
 10 holiday, the act or event shall be performed on the next business day.

11 If the trial dates assigned to this matter creates an irreconcilable conflict, counsel must
 12 notify Deputy Clerk Agalelei Elkington in writing within 10 days of the date of this Order and
 13 must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver.
 14 Counsel must be prepared to begin trial on the date scheduled, but it should be understood that
 15 the trial may have to await the completion of other cases.

16 **Discovery**

17 The parties exchanged Fed. R. Civ. P. 26(a) initial disclosures on June 14, 2019. Dkt. 18,
 18 p. 3. As required by CR 37(a), all discovery matters are to be resolved by agreement if possible.
 19 Counsel shall also cooperate in preparing the agreed pretrial order in the format required by CR
 20 16.1, except as ordered below.

21 **Witness Lists and Exhibits**

22 The parties shall submit the agreed pretrial order in conformity with CR 16 and CR 16.1.
 23 The original and one copy of the trial exhibits are to be delivered to Judge Robart's courtroom

1 deputy by close of business the Thursday before trial. Each exhibit shall be clearly marked.
2 Plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall
3 be numbered consecutively beginning with A-1. Duplicate documents shall not be listed twice:
4 once a party has identified an exhibit in the pretrial order, any party may use it. Each set of
5 exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

6 **Settlement and Mediation**

7 The parties are currently in settlement discussions and will immediately inform the Court
8 if an early resolution is reached. Dkt. 18, p. 4. The parties may revisit the issue if a resolution is
9 not reached and as the case progresses. *Id.* If this case settles, plaintiff's counsel shall notify
10 Agalelei Elkington at (206) 370-8421 or via e-mail at: Agalelei_elkington@wawd.uscourts.gov,
11 as soon as possible. Pursuant to CR11(b), an attorney who fails to give the Deputy Clerk prompt
12 notice of settlement may be subject to such discipline as the Court deems appropriate.

13 The Clerk is directed to send copies of this Order to all parties of record.

14 DATED this 24th day of June, 2019.

15 
16 BRIAN A. TSUCHIDA
17 Chief United States Magistrate Judge
18
19
20
21
22
23